

Order

Michigan Supreme Court
Lansing, Michigan

February 3, 2006

Clifford W. Taylor,
Chief Justice

129606

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

MICHAEL J. BARNES, JR.,
Plaintiff-Appellee,

v

SC: 129606
COA: 252840
Kalamazoo CC: 03-006657-DP

KIM KRISTINE JEDEVINE,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the August 23, 2005 judgment of the Court of Appeals is considered, and we direct the Clerk to schedule oral argument on whether to grant the application or take other peremptory action. MCR 7.302(G)(1). The parties shall include among the issues to be addressed at oral argument: (1) whether plaintiff lacked standing to proceed under the Paternity Act, MCL 722.711 *et seq.*, where the subject child's mother was married at the time of the child's conception, see *Girard v Wagenmaker*, 437 Mich 231 (1991), and (2) whether the default divorce judgment amounted to a judicial determination that the child was born or conceived during the marriage but was not the issue of the marriage. The parties may file supplemental briefs within 28 days of this order, but they should avoid submitting a mere restatement of the arguments made in their application papers.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 3, 2006

Corbin R. Davis

Clerk